

111TH CONGRESS
1ST SESSION

S. 581

To amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to require the exclusion of combat pay from income for purposes of determining eligibility for child nutrition programs and the special supplemental nutrition program for women, infants, and children.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2009

Mr. BENNET (for himself, Mr. CASEY, Mr. JOHANNNS, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to require the exclusion of combat pay from income for purposes of determining eligibility for child nutrition programs and the special supplemental nutrition program for women, infants, and children.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Family Nutri-
5 tion Protection Act of 2009”.

1 **SEC. 2. INCOME ELIGIBILITY.**

2 (a) CHILD NUTRITION PROGRAMS.—Section 9(b) of
3 the Richard B. Russell National School Lunch Act (42
4 U.S.C. 1758(b)) is amended by adding at the end the fol-
5 lowing:

6 “(14) COMBAT PAY.—

7 “(A) DEFINITION OF COMBAT PAY.—In
8 this paragraph, the term ‘combat pay’ means
9 any additional payment under chapter 5 of title
10 37, United States Code, or otherwise designated
11 by the Secretary to be appropriate for exclusion
12 under this paragraph, that is received by or
13 from a member of the United States Armed
14 Forces deployed to a designated combat zone, if
15 the additional pay—

16 “(i) is the result of deployment to or
17 service in a combat zone; and

18 “(ii) was not received immediately
19 prior to serving in a combat zone.

20 “(B) EXCLUSION.—Combat pay shall not
21 be considered to be income for the purpose of
22 determining the eligibility for free or reduced
23 price meals of a child who is a member of the
24 household of a member of the United States
25 Armed Forces.”.

1 (b) SPECIAL SUPPLEMENTAL NUTRITION PROGRAM
2 FOR WOMEN, INFANTS, AND CHILDREN.—Section
3 17(d)(2) of the Child Nutrition Act of 1966 (42 U.S.C.
4 1786(d)(2)) is amended—

5 (1) by redesignating subparagraph (C) as sub-
6 paragraph (D); and

7 (2) by inserting after subparagraph (B) the fol-
8 lowing:

9 “(C) COMBAT PAY.—For the purpose of
10 determining income eligibility under this sec-
11 tion, a State agency shall exclude from income
12 any additional payment under chapter 5 of title
13 37, United States Code, or otherwise designated
14 by the Secretary to be appropriate for exclusion
15 under this subparagraph, that is received by or
16 from a member of the United States Armed
17 Forces deployed to a designated combat zone, if
18 the additional pay—

19 “(i) is the result of deployment to or
20 service in a combat zone; and

21 “(ii) was not received immediately
22 prior to serving in a combat zone.”.

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